

MINUTES
WOODSTOCK CITY COUNCIL
June 3, 2014
City Council Chambers

The regular meeting of the Woodstock City Council was called to order at 7:00 PM by Mayor Pro Tem Mike Turner on Tuesday, June 3, 2014 in Council Chambers at City Hall. He explained the consent calendar process and invited public participation.

A roll call was taken.

COUNCIL MEMBERS PRESENT: Julie Dillon, Maureen Larson, Mark Saladin, Joseph Starzynski, RB Thompson, Michael Turner

COUNCIL MEMBERS ABSENT: Mayor Brian Sager

STAFF PRESENT: City Manager Roscoe Stelford, City Attorney Ruth Schlossberg, Finance Director Paul Christensen, Director of Public Works Paul Ruscko, Dir. of Economic Development Cort Carlson

OTHERS PRESENT: City Clerk Dianne Mitchell

A. FLOOR DISCUSSION:

Public Comments

Don Frick, 334 S. Jefferson, Woodstock stated that his family owns The Backdrop and reported that they have had quite a few issues with complaints about some of the characters on the Square. He stated that there have been a lot of issues with Revolution over by Swiss Maid, noting that they have put their business up for sale. He stated that he understands why they are in the community and wants to honor that but their mission can't be just within their doors. He reported that when the kids are outside using all kinds of language discouraging customers from coming into the businesses, it is difficult. He stated that through their efforts, which took a long time to get responses from, the police have made a difference there.

D. Frick stated that one of their biggest concerns was the response of the Council getting back to them. He reported that the City was involved with setting up a meeting with the business owners and the Police Department, which went well except that there was no representation from the City. He stated that they understand the role of the Police Department is enforcement but he questioned where the planning aspects of things are to make it a better community overall.

D. Frick reported that they don't feel like there is a good avenue for communication. He stated that they sent letters to some of the Council people and it took some of them 7-10 days and even up until today to respond to the inquiries for assistance. He stated that it was discouraging because they would like to see Council as advocates for leading the community and for them to be very proactive. He advised that dialog should take place within the City about supporting the businesses on the Square and having a better understanding and dialog regarding the issues. He stated that customer service is a huge issue from his perspective across the board within the City of Woodstock.

D. Frick stated that they are in the community trying to address these issues, be proactive, and make the downtown a better place. He reported that they have lived here 14-15 years and it hasn't gotten better; the rental properties are an issue. He advised that he was in Mayor Sager's office seven years ago talking about programs very similar to the one that was passed recently but he noted that it was passed as a result of being reactive to the issues when people were so frustrated that they were threatening law suits. He reported that he talked about programs that are cost neutral where landlords have to pay fees and be inspected. He gave examples of issues he has experienced with rental

properties. He questioned what is going to be done strategically to make it work. He advised that Section 8 housing requires inspection of homes, but the City doesn't require inspections for the rental properties. He stated that many of the code enforcements don't have the teeth. He stated that we have to make people move and we have to have action.

D. Frick stated that we are now faced with the Square itself and we are investing big money into the Courthouse and he asked Council to ask themselves why. He stated that if the downtown is not a place where people can go and feel safe and businesses aren't able to thrive then don't put the money into the Courthouse. He reported that they have customers come in and say they can't believe what a person on the Square just said to them. He stated that they watch people going in the bushes, they have people defecating in the back alleys and they see people all day long sitting idle.

D. Frick questioned what can be done to make it a better experience for visitors and how can we make it expand to the outer community to make young families move here. He stated that our Square is starting to corrode and putting some copper on top of the Courthouse is not going to make that experience any better. He stated that visitors are going home and questioning why they would go back if they are going to be accosted by somebody who is asking for money or drug sales. He stated that it is happening and advised that if they don't know that then they are out of the loop. He advised that it takes hard work on their behalf and it is going to take even more work to turn this around. He stated that we have been standing idle way too many times.

D. Frick stated that when Woodstock got money for the Main Street Program it didn't jump on it but Crystal Lake did and look at their downtown noting that it is a fraction of the cost of what the City is spending to take care of the Courthouse. He believes if the City had invested more money it would have received more bidders and questioned if they would have lost the landlord initially. He stated that if we aren't proactive, it is going to continue to go down. He advised that he wants dialog and is willing to throw himself out there to do whatever we have to do. He encouraged Council that if they can't step up to meet the demands then they should step down; we need leadership big time.

Lisa Hansen, one of the owners of The Backdrop, 106 Cass St., Woodstock stated that she is the one that emailed Council members about some of the things occurring on the Square. She stated that her brother-in-law has taken the battle on himself but noted that we all need to do that because Woodstock has some serious problems that aren't being addressed.

L. Hansen stated that her concern is that of the seven people that she emailed she heard from three; giving the Mayor a pass since he is out of town. She stated that of the six there, three responded which is 50% and a big, fat F. She believes they are failing as a City Council if only half of them are engaged in the business of Woodstock. She stated that her message to those that didn't respond is that she is baffled. She can't understand why somebody wouldn't extend the professional courtesy of a response and it suggests that they have a lack of respect for their constituents. She stated as part of their job description they are supposed to engage with the people they serve.

L. Hansen stated that when she wrote the email, she suggested that people check out the Vision 2020 Plan to assess where Woodstock really is because she believes we are moving further and further from it. She read from the plan, "Maintain strong, ethical professional leadership dedicated to the community vision and accountable for its accomplishment." She stated that given her experience "a big no." She read from the plan, "Maintain active citizen participation and engagement in the accomplishment of its vision." She stated that here is someone trying to make our community a better place and three Council members didn't bother to respond. She wonders how people can check out; they are going through the motions but aren't doing anything substantial. She stated that

this is how she thinks of the City of Woodstock, City Administration and City Council. She feels that they are checked out and disconnected. They don't know what is going on in their community.

L. Hansen stated that Council isn't going to know what is going on by sitting in Council Chambers. She advised that they have to get out and talk to the business owners and people that live outside their neighborhood. She stated that they can't live and operate in a vacuum. She stated that for the three that didn't bother to respond, she suggested that they step down because we need someone that is willing to actually work and improve Woodstock. She stated that they are the leaders of the community and she expects that they are enthusiastic and have the sense that there is a better possibility of what we are.

L. Hansen stated that when it comes to the ugly and the difficult they aren't very good at addressing it and like to sweep under the rug. She advised that there are some serious issues and Council needs to take action otherwise a few years down the road they are going to ask what happened. She stated that they need to do better and they need to find out what is occurring. She stated that they need to talk to someone in city center because their experience is different than their experience in their suburbia neighborhood. She wants them to be engaged and committed and she wants them to actually do something that will make Woodstock better.

M. Turner stated that the things they are bringing up are serious enough to consider, with the Mayor's input upon his return, whether this needs to be a more extensive discussion at another meeting. He stated that he isn't putting it off but since it isn't on the published agenda they can't take action. He advised that they can discuss it but he thinks it requires more set-up and public notice. He stated that they are bringing up two different areas of concern, activities on the Square; noting that there has been some action on the part of Staff. He stated that it is his belief that we have just started to scratch the surface. He advised that they have to operate under a variety of things that influence them such as laws. He stated that it is Council's responsibility to act upon assessment and understanding the concerns as to what is going on in the Square. He advised that Council shares a seriousness and understands the importance of the Square as the heart and soul of our town.

M. Turner stated that although they feel like they are a lone voice that is not the case. He stated that they maybe the squeaky wheel but that is a good place to be because they get people's attention. He stated that the Police, Administration and Council don't know everything that is going on. He admitted it and stated that it is why he wants to know from the people who are out there. He agreed with L. Hansen and stated that Council needs to do what it can to be more involved but even doing that won't give them the same level of understanding or knowledge. He stated that every store owner should be urged to let Police, Staff or Council know what is going on.

M. Turner advised that the other issue is holding them to a standard as public officials that they have an expectation to meet each in their own individual way. He stated that it is a responsibility that falls on Council. He advised that from a service perspective, Roscoe and his team have an absolute standard to maintain service to the needs of the citizens of the city. He stated that they know that and their jobs are on the line for it. He stated that we aren't always perfect but we have to be good. He believes in our Staff's ability to do that noting that they will always hold their feet to the fire with the expectation that they will meet the needs of our customers.

J. Starzynski and RB Thomson advised that they didn't receive the email. L. Hanson stated that three other people got it and responded.

RB Thompson stated that he is on the park regularly and reiterated an experience he had where he witnessed three young kids being approached by someone requesting money from each of them causing them to leave the park. He provided information on the altercation he then had with the man after advising him of the panhandling ordinance. He stated that is evidence of the obnoxiousness that happens that drives off people who should be on the Square. He stated that he is disappointed to hear about Swiss Maid and noted that a couple of weeks ago they repainted their sign. He questioned why they would be making that investment if they are deciding to leave.

M. Larson thanked them for speaking up and advised that in their job they have multiple fronts and if they have been slipping on that front she apologizes and appreciates the opportunity to talk to them about it and for being brought up to speed. She stated that she would like to say that there is a simple, easy solution but she views it as a chipping away at kind of thing. She stated that there will be a community service officer coming and a few other steps that have been taken. She asked Staff to schedule another meeting with the business owners and the police and to have Administration in attendance. She thinks it should be a Council agenda item to evaluate in another week or two.

J. Dillon apologized and stated that she did not respond to the email noting that she read through it and didn't have a rapid response. She stated that they brought a lot of issues and she then asked for any suggestions on what they would like to see which will help them. She reported that her husband has had issues with people on the Square as well. She questioned what would be beneficial to help make them feel safe and their customers feel safe and advised that their suggestions could help lead them towards the right form of action.

M. Saladin stated that the thing he is hearing is it isn't so much taking care of some of the issues on the Square, which might be simple fixes with police presence, but there is a bigger goal with respect to what the City's vision is and how we are accomplishing those things. He feels that there have been positive steps taken but they won't show up immediately. He stated that Council needs to direct Staff to have a vision for the City which is not a quick fix.

B. Batjes, 510 Leah Lane, Woodstock, suggested asking Pastor Len to come since he is the one that started the Revolution Center. M. Turner stated that it is a good idea and noted that they have already started dialog with them.

D. Frick responded to J. Dillon's question and stated that a dialog with the business owners is the best idea because a lot of different solutions could come forward. He advised that some communities respond to loitering by having police officers ask them to move along. He stated that building and zoning issues are a big part of it. He questioned if having the Revolution right on the Square is the right decision and noted that he knows that the business community isn't thriving to the point where building owners have many options.

D. Frick stated that not much is being done within the economic development program which is why he goes back to the huge capital investment being put in now which could have been put into a main street program that could have made a difference. He stated that building and zoning issues can make a difference not only on the Square but in the residential communities with rental properties. He questioned how to step on many different fronts that hopefully won't invade people's rights but we have to make people accountable. J. Dillon stated that there should be rights for the people that want to visit the Square and not fear being accosted by someone; it's a two-way street.

R. Stelford reported that last week he, C. Carlson and J. Starzynski met with L. Hansen and other various business owners with plans to talk to some more next week. He reported that actions that

they have been working on are the community service officer position for afternoons and weekends which will bring a presence of a uniformed employee, not technically a police officer, but will have direct communication back to the Police Department. He advised that they will help with the parking issues in the downtown as well.

R. Stelford advised that they have two officers that have gone through the bike training program and there will be a bike patrol on the Square. He reported that they have been talking to the businesses about open communication and making sure they feel comfortable contacting the City when they see a problem. He stated that while we do want a better presence on the Square it always comes down to dollars and cents and you can't post a police officer on every single corner every day so communication is crucial. He stated that they will go out and talk to the businesses more often. He advised that they can talk directly to the Chief, the Deputy Chief or call the City Manager's office.

R. Stelford stated that they are opening communication with Revolution since they are a draw for the kids to come down to the Square. He reiterated having dialog with them so that they are engaged and policing the issues that they are being bringing there. He reported that talking to the owners, they are very supportive of the kids getting help however some think there could be a better location but they still want to see the help going out to the kids. He stated that a representative of Revolution advised that they are supportive and don't want to harm the businesses.

R. Stelford stated that these are problems that can be solved but he doesn't think they will go away permanently. He stated that transients have been in our society since day one and kids are going to be kids. He advised that we can always work to improve and get better. He stated that the City is taking some steps in that direction and getting the businesses input will always be helpful.

J. Dillon asked R. Stelford about the possibility of setting up meetings with Council, the merchants on the Square and the Chamber of Commerce such as a monthly breakfast meeting. R. Stelford thought it would be good and suggested using Stage Left. J. Dillon stated that it would be an opportunity to interact face to face.

J. Dillon asked if the City has cameras around the Square. R. Stelford advised that we don't noting that they have talked about it and the pros and cons. He stated that the issue is privacy but advised that legally there is nothing that someone can do if a community decides to start using cameras as an enforcement tool. He advised that as long as it viewing public area, it isn't violating anybody's personal privacy. He stated that if it is something we want to look at down the road, he would want to invite the Square merchants and those that would be impacted by the decision. J. Dillon suggested that Revolution might want to install cameras on the outside of their building.

J. Dillon stated that the other thing is location of Revolution and noted that in her mind she always thought the Square should be retail as much as possible on the bottom level. M. Turner asked if they had any decision on that going in there. R. Stelford advised that it is properly zoned for what they want to use it for and it wouldn't come to Council because they have the proper zoning.

D. Frick referenced the idea of because of the zoning we can't do anything. He stated that too many times we stop by saying we can't do it. He encouraged them to take it a little bit further and discuss changing the zoning or doing something to make it better. J. Dillon suggested helping them find a location that works for them but works for the City too; don't want to take it away from the kids but you also want to keep the focus of the Square the way we have intended it to be.

L. Hansen stated that she is one of the business owners on the Square and advised that there are a lot of different types of businesses. She stated that it isn't just about stores or retail but all the people that are there not only on the Square but anywhere in Woodstock. She stated that it is worthwhile that they meet and talk to all of those people that are either on the Square or on Rt. 47. She doesn't think they should just target the Square.

L. Hansen referred to the situation she emailed them about and advised that it has become more peaceful. She stated that she has seen the officers out and they are going into the Revolution. She stated that this is like a little part of the problem and advised that it is the entire tone and climate of the city. She stated that when you talk about zoning, Section 8 housing or other difficult things, the point is we never seem to address it, we talk about it but nothing ever comes of it. She advised that Council talks about housekeeping or maintenance things but they never address something that is hard which is what they need to do to make Woodstock better. She stated it has to be that they think they can do something that will make a difference.

M. Tuner stated that he liked the dialog and noted that the seriousness of the issue warranted this level of discussion. He advised that he wants consensus from Council and input from Mayor Sager and then stated that he thinks that the specifics of what has been brought forth as it relates to the Square both the problems and short and long term approaches warrant a Council level discussion public item. He stated that he is supportive of the informal Stage Left business owners meetings but he thinks it is once a year or every six month thing because monthly will fade out and becomes less attended. He would like to deal with strategic and specific issues in a formal public forum to get the hard questions from business owners thrown at Council and Staff so they can understand them and frame them and make recommendations on how to approach. He advised that he would recommend to Mayor Sager that this particular issue be put on as discussion in the next 2-3 meetings. Council conceded to his recommendation.

J. Dillon agreed and stated that she would like the people coming to bring their issues to also bring suggestions on what they would like to see different. She stated that she would like to hear what is going to help them the most and what they think is a good solution.

M. Turner stated that Council feels the pressure and requirement to protect the City and support the business owners and the activities they think are good for the community. He advised that Council members may have different approaches and opinions but they all share the same passion and belief in the ultimate goal of what we are trying to do as a community. He stated that governmental pace and aggressive is way to low for him. He thinks L. Hansen is fair in saying that she has seen an improvement because Administration reacted. He stated that there is a need to be more proactive and advised that Council members should attempt to do that but questioned if they are perfectly suited because they don't do this full time; it's not an excuse but a statement of reality. He thinks that they can try to improve and noted that pace, aggressive and anticipating problems is what he puts on R. Stelford and asked R. Stelford to put on Staff.

M. Turner stated that he doesn't think it is a police issue or criticism but thinks it has more to do with strategy. He stated that policing is part of the solution but noted that it goes beyond that as we need to give them the strategy and direction on what we want them to accomplish within the confines of the law. He stated that their comments tonight have far more impact than they realize and the willingness for them to come and lay it on the line and be very serious and blunt does have an impact. He stated that the Council members do care about their roles and jobs. He stated that if Mayor Sager concurs, they will look at putting this item on as a discussion item. He advised that they will look to business owners, Square or not, to show up to Council.

Council Comments

No comments from Council.

CONSENT AGENDA:

Motion by J. Dillon, second by RB Thompson to concur with Consent Agenda Items B-D1, D3-D6.

- M. Larson removed Item D2
- In reference to Item D4, J. Starzynski referenced the photo and questioned the overhangs on the top of the structure. P. Ruscko advised that it is a decorative roof that provides minimal shade and provide support for the structure.

B. MINUTES OF PREVIOUS MEETINGS:

May 12, 2014 City Council Strategic Planning Workshop

May 20, 2014 Regular Meeting

May 20, 2014 Executive Session

C. WARRANTS: 3617 3618

D. MANAGER'S REPORT NO. 25

1. **Library Building Fund Levy** – Adoption of Resolution 14-R-12 providing for the levy of a property tax to maintain the City's library building, furniture, and equipment
3. **Bates Park Basketball Court Resurfacing** – Approval of award of contract for the maintenance, resurfacing and restriping of two basketball courts at Bates Park to the lowest responsible bidder, 10S Court Solutions for the total bid price of \$11,490.
4. **Raintree Park Playground Equipment Award of Bid** - Approval to waive the requirement for competitive bidding and award the contract for the purchase of playground equipment for Raintree Park to NuToys Leisure Products, Inc. for their Option 4 bid in the amount of \$34,820.
5. **Purchase of Mowing Equipment** – Approval of the purchase of two new Kubota F90 Series Model F2690 mowers with 6-foot front-mount mowers plus one Sweepster M24C5A broom kit through NJPA's contract for a total delivered price of \$57,258.50.
6. **Old Courthouse Restoration Project Change Order** - Adoption of Resolution 14-R-13 providing for the approval of Change Order 006 for the Old Courthouse Restoration Project.

A roll call vote was taken. Ayes: J. Dillon, M. Larson, M. Saladin, J. Starzynski, RB Thompson, M. Turner. Nays: None. Absentees: Mayor Sager. Abstentions: None. Motion carried.

Item E2 Prevailing Wage Ordinance – Approval of an Ordinance establishing Prevailing Wage requirements for the City of Woodstock.

M. Larson stated that she went to the Bureau of Labor Statistics which has statistics on every main category of professions. She advised that she looked at the list of prevailing wage ordinance which they are required to pass by law. She stated that Staff has given Council the dire consequences if they fail noting that Council literally has no choice in passing the ordinance. She reported that you

look at the wages that are “prevailing” which you would think meant they are common and easy to earn in the real world but it simply is not the case.

M. Larson advised that she looked at the pay for machinists nationwide. She referenced the slide showing the Bureau of Labor Statistics and reviewed the nationwide hourly wage percentile noting that the figure does not include benefits. She reported that the highest paid machinists are in Honolulu, HI. She stated that in Hawaii if they are in the top percentile they make \$42.22 an hour. She referenced the line for machinists in the prevailing wage ordinance and advised that we will be paying every machinist regardless of experience, years on the job or level of expertise \$43.92 an hour plus \$6.76 for insurance, \$8.95 an hour for their pensions and a \$1.85 toward their vacation for a grand total of \$61.48 an hour.

M. Larson noted that these are the rates that Council has to vote on tonight. She stated that you could go through every line and each one is out of whack with the national median and national 90th percentiles. She stated that it is ridiculous and advised that the data being used to arrive at these numbers is a complete mystery to her and how they can say it is prevailing is mind boggling. She asked Staff how much is spent for capital improvements and construction that we contract out.

R. Stelford stated that the number is for total capital outlay which includes vehicle and equipment purchases but at least half of it is probably construction dollars; it is 3.9 million dollars. M. Larson stated that it is 3.9 million dollars and we are paying easily 30-50% beyond. M. Turner questioned if half of the 3.9 is project cost and R. Stelford affirmed.

M. Turner stated that we are paying 20-30% more on 2 million dollars. He stated that we are paying \$400,000- \$600,000 more as a municipality that we don't spend on wages, capital improvements or give back to the tax payers. M. Larson stated that the tax payers should be outraged but it is so hard to get a handle on it. She stated that it is shrouded in mystery purposely in order for it to continue but the public needs to know that this is unacceptable.

J. Starzynski questioned why the State gets to tell us what we have to pay. M. Turner replied because the voters vote the people in who tell us what to do and pass the laws. J. Starzynski questioned what Jack Franks says about it. R. Schlossberg stated that MCCG tries to chip away at the margins of the prevailing wages and does things like trying to get an exemption for the first \$40,000. She noted that every year they chip away at it, and those actions go nowhere.

M. Saladin advised that he has conversations with Pam Althoff who agrees with Council and noted that she was Mayor of McHenry and she knows that this goes nowhere. R. Schlossberg stated that there was a major breakthrough this year with emerald ash borer which was devastating people's budgets and the Department of Labor came out with the ruling that the kind of landscaping work required would not be subject to prevailing wage. She stated that another breakthrough is that you don't have to send a copy of the ordinance to the Secretary of State's office anymore.

M. Larson advised that the City is allowed to arrive at its own rates by taking a survey, but it can only survey the people who are currently making prevailing wage. R. Stelford advised that you are only allowed to survey public works projects and those projects by law have to pay prevailing wage. J. Starzynski questioned if it is an Illinois issue and M. Turner stated that it is other states but not all.

P. Christensen stated that when you use the number for capital improvements some maintenance projects are subject to it so the number is actually worse. M. Turner stated that we are sitting at 2.4 - 2.5 million a year roughly in costs which means we are paying an extra \$500,000-\$750,000 in higher

costs because of this law. P. Christensen stated that consistently you will see the IML try to chip away prevailing wage and pull it back. He stated that next to pension reform for public safety this is the second issue out there to reform and he noted that there is no appetite to touch it and in fact they are always trying to strengthen it.

M. Turner stated that the absurdity of this law is without equal, it is extreme, it is costly and we talk about it every year. He stated that they are powerless to do anything about it but he has a suggestion. He stated that this does not have to be passed until the second meeting in June and he advised that he will vote no on it. He stated that if Council doesn't pass it, it sends a message to the voters and lets them do a little act of defiance to the State. He advised that they have the choice through Robert's Rules of Order to do a motion to reconsider. He stated that it is bad law and he wants to vote against it and he doesn't want to put the City at a disadvantage noting that a motion to reconsider if they defeat the ordinance right now will give them the opportunity to vote in two weeks.

M. Saladin questioned the repercussions to the City if they don't vote in favor of the ordinance permanently. R. Stelford stated that they are required to file by July 15. R. Schlossberg advised that the City will be hounded by the Department of Labor. She shared her experience in another town and advised that after a few months they decided they were paying more in legal fees and they passed it. She stated that you are responsible for doing this under the statute.

P. Christensen stated that it doesn't stop them from having to pay prevailing wage on their projects. R. Schlossberg stated that it doesn't stop you from having to pay prevailing wage and they are required under the State statute to notify all the contractors and purchase people that they have to and if you don't you are liable for the penalties.

In response to J. Starzynski, R. Schlossberg stated that the City is mandated to comply so you might ask why you have to pass an ordinance saying that you are going to comply with a law that you are obligated to comply with but the statute does require it. M. Turner questioned if there is any practical implication of voting it down with the opportunity to do a passage in two weeks and R. Schlossberg stated that the statute requires that you do it this month.

Motion by M. Larson, second by M. Saladin to approve, as required by State law, an Ordinance establishing Prevailing Wage requirements for the City of Woodstock. A roll call vote was taken. Ayes: M. Saladin, RB Thompson. Nays: J. Dillon, M. Larson, J. Starzynski, M. Turner. Absentees: Mayor Sager. Abstentions: None. Motion failed.

FUTURE AGENDA ITEMS

M. Larson suggested talking to the business owners in June. J. Dillon suggested a possibility of a change of venue. M. Turner stated that it could possibly be an Opera House meeting.

ADJOURNMENT:

Motion by M. Saladin, second by RB Thompson, to adjourn the regular meeting of the City Council the next Regular Meeting on June 17, 2014. Ayes: J. Dillon, M. Larson, M. Saladin, J. Starzynski, RB Thompson, M. Turner. Nays: None. Absentees: Mayor Sager. Abstentions: None. Motion carried.

Meeting adjourned at 8:17 PM.

Respectfully submitted,

Dianne Mitchell - City Clerk